IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.199 OF 2007
IN
CRIMINAL APPEAL NO.172 OF 2007

Rajesh Swaminath Chauhan ...Applicant.
V/s.
State of Maharashtra ...Respondent.

Mr.Amit Gor, adv. for the Applicant.
Shri Y.S.Shinde, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 30TH April, 2007.

P.C.:

1. Heard Mr.Amit Gor the learned counsel for the applicant and Mr.Shinde the learned APP for the State.

2. The applicant was convicted for the offences punishable under Sections 394 and 392 read with Section 397 of the I.P.C. and was sentenced to undergo R.I. for 5 years on the first count and R.I. for 7 years on the second count. It appears that he is in jail since 29-1-2005. He has preferred an appeal challenging the conviction. By this application, he seeks condonation of delay of 411 days in filing the appeal on the ground that because of poverty, he could not engage any lawyer. He is illiterate and does not know any procedure of law. Therefore, he could not approach this Court in appeal within the prescribed period.

3. Taking into consideration the reasons given in the application, the delay is hereby condoned.

4. Application stands disposed off.

(J.H.Bhatia,J.)

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Mr.Amit Gor, adv. for the Appellant.

Shri Y.S.Shinde, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.

DATE : 30TH April, 2007.

P.C.:

1. Heard Mr.Amit Gor the learned counsel for the appellant and Mr.Shinde the learned APP for the State.

2. Delay in filing the appeal is condoned by separate order.

3. Admit.

4. The Sessions Court to submit paper-book with record and proceeding of the case to this Court within three months and after the submission of the paper-book, the appeal be listed for final hearing.

(J.H.Bhatia,J.)